

United States District Court

For the Northern District of California

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6 JAMES SEAN HALL,

Petitioner,

No. C 11-1889 WHA (PR)

7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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ORDER OF TRANSFER

v.
MIKE MARTEL, Warden,
Respondent.

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Petitioner, a California prisoner proceeding pro se, filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. 2254 challenging the denial of parole. Petitioner was convicted in Santa Barbara County Superior Court, and he is incarcerated at Chuckawalla Valley State Prison, both of which lie within the venue of the Central District of California. *See* 28 U.S.C. § 84.

Jurisdiction for habeas cases involving state prisoners is proper in either the district of confinement or the district of conviction. 28 U.S.C. 2241(d). Venue for petitions challenging a conviction or sentence is preferable in the district of conviction. *See Dannenberg v. Ingle*, 831 F. Supp. 767, 768 (N.D. Cal. 1993). If the petition is directed to the manner in which a sentence is being executed, for example if it involves parole or time credits claims, the district of confinement is the preferable forum. *See* Habeas L.R. 2254-3(b)(1); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). Because petitioner was convicted and is incarcerated in the Central District of California, jurisdiction and venue are in the Central District. .

Therefore, pursuant to 28 U.S.C. 1404(a) and Habeas L.R. 2254-3(b), and in the

1 interests of justice, this petition is **TRANSFERRED** to the United States District Court for the
2 Central District of California.

3 The clerk shall transfer this matter forthwith.

4 **IT IS SO ORDERED.**

5 Dated: April 29, 2011.

W^m A

6 WILLIAM ALSUP
7 UNITED STATES DISTRICT JUDGE
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